

PTO/SB/21 (09-04)

2681\$  
TCD**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

09/911,868

Filing Date

July 23, 2001

First Named Inventor

Watler, Theodore W.

Art Unit

2681

Examiner Name

Lee

Attorney Docket Number

018684-001310US

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

Return Postcard

Certified Copy of Priority  
Document(s)Reply to Missing Parts/ Incomplete  
ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Remarks

The Commissioner is authorized to charge any additional fees to Deposit  
Account 20-1430.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Guy W. Chambers

Date

June 17, 2005

Reg. No.

30,617

**CERTIFICATE OF TRANSMISSION/MAILING**I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an  
envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

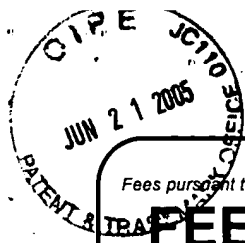
Signature

Typed or printed name

Mark T. Davis

Date

June 17, 2005



Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180

**Complete if Known**

|                      |                      |
|----------------------|----------------------|
| Application Number   | 09/911,868           |
| Filing Date          | July 23, 2001        |
| First Named Inventor | Wattler, Theodore W. |
| Examiner Name        | Lee                  |
| Art Unit             | 2681                 |
| Attorney Docket No.  | 018684-001310US      |

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

**FEE CALCULATION****1. BASIC, FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES<br>Small Entity |          | SEARCH FEES<br>Small Entity |          | EXAMINATION FEES<br>Small Entity |          | Fees Paid (\$) |
|------------------|-----------------------------|----------|-----------------------------|----------|----------------------------------|----------|----------------|
|                  | Fee (\$)                    | Fee (\$) | Fee (\$)                    | Fee (\$) | Fee (\$)                         | Fee (\$) |                |
| Utility          | 300                         | 150      | 500                         | 250      | 200                              | 100      |                |
| Design           | 200                         | 100      | 100                         | 50       | 130                              | 65       |                |
| Plant            | 200                         | 100      | 300                         | 150      | 160                              | 80       |                |
| Reissue          | 300                         | 150      | 500                         | 250      | 600                              | 300      |                |
| Provisional      | 200                         | 100      | 0                           | 0        | 0                                | 0        |                |

**2. EXCESS CLAIM FEES**

| Fee Description   | Small Entity |          |
|---|--------------|----------|
|   | Fee (\$)     | Fee (\$) |
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 50           | 25       |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200          | 100      |
| Multiple dependent claims   | 360          | 180      |

| Total Claims  | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---|--------------|----------|---------------|---------------------------|----------|---------------|
| -20 or HP = _____ x _____ = _____                                     |              |          |               |                           |          |               |
| HP = highest number of total claims paid for, if greater than 20      |              |          |               |                           |          |               |
| Indep. Claims   | Extra Claims | Fee (\$) | Fee Paid (\$) |                           |          |               |
| -3 or HP = _____ x _____ = _____                                      |              |          |               |                           |          |               |
| HP = highest number of independent claims paid for, if greater than 3 |              |          |               |                           |          |               |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|---|--------------|--|----------|---------------|
| _____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____ |              |  |          |               |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

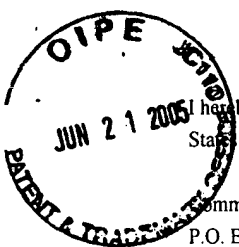
Other: Submission of Information Disclosure Stmt

Fees Paid (\$)

180

**SUBMITTED BY**

|                   |                 |                                   |        |           |               |
|-------------------|-----------------|-----------------------------------|--------|-----------|---------------|
| Signature         |                 | Registration No. (Attorney/Agent) | 30,617 | Telephone | 415-576-0200  |
| Name (Print/Type) | Guy W. Chambers |                                   |        | Date      | June 17, 2005 |



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT  
Attorney Docket No.: 018684-001310US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On June 17, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Mark T. Davis  
Mark T. Davis

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Watler et al.

Application No.: 09/911,868

Filed: July 23, 2001

For: A METHOD AND SYSTEM FOR  
DATA RATING FOR WIRELESS  
DEVICES

Examiner: Lee

Art Unit: 2681

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 10/013,794, filed December 10, 2001 now U.S. Patent No. 6,725,031 issued April 20, 2004 (Attorney Docket No. 018684-001311US).

06/22/2005 DEMMANU1 00000014 201430 09911868

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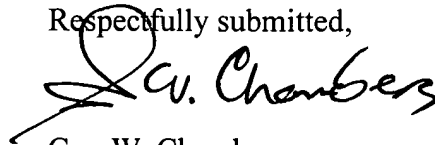
It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

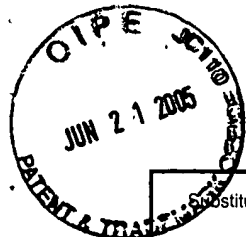
Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Guy W. Chambers  
Reg. No. 30,617

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
GWC:mtd



|   |   |    |                          |                        |                 |
|---|---|----|--------------------------|------------------------|-----------------|
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   |    | <b>Complete if Known</b> |                        |                 |
|   |   |    | Application Number       | 09/911,868             |                 |
|   |   |    | Filing Date              | July 23, 2001          |                 |
|   |   |    | First Named Inventor     | Wattler, Theodore W.   |                 |
|   |   |    | Art Unit                 | 2681                   |                 |
|   |   |    | Examiner Name            | Lee                    |                 |
| Sheet   | 1 | of | 1                        | Attorney Docket Number | 018684-001310US |

| U.S. PATENT DOCUMENTS+ |                          |  |                                |  |   |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials*  | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                        |                          | Number Kind Code <sup>2</sup> (if known) |                                |  |   |
|                        | AA                       | US-5,812,945                             | 09-1998                        | Hansen et al.                                      |   |
|                        | AB                       | US-5,960,416                             | 09-1999                        | Block  |   |
|                        | AC                       | US-6,070,067                             | 05-2000                        | Nguyen et al.                                      |   |
|                        | AD                       | US-6,098,878                             | 08-2000                        | Dent et al.  |   |
|                        | AE                       | US-6,141,652                             | 10-2000                        | Reeder   |   |
|                        | AF                       | US-6,185,413                             | 02-2001                        | Mueller et al.                                     |   |
|                        | AG                       | US-6,311,054                             | 10-2001                        | Korpela  |   |
|                        | AH                       | US-6,385,444                             | 05-2002                        | Peschel et al.                                     |   |
|                        | AI                       |  |                                |  |   |
|                        | AJ                       |  |                                |  |   |
|                        | AK                       |  |                                |  |   |
|                        | AL                       |  |                                |  |   |
|                        | AM                       |  |                                |  |   |
|                        | AN                       |  |                                |  |   |
|                        | AO                       |  |                                |  |   |
|                        | AP                       |  |                                |  |   |
|                        | AQ                       |  |                                |  |   |
|                        | AR                       |  |                                |  |   |
|                        | AS                       |  |                                |  |   |
|                        | AT                       |  |                                |  |   |
|                        | AU                       |  |                                |  |   |
|                        | AV                       |  |                                |  |   |

| FOREIGN PATENT DOCUMENTS |                          |                           |                     |                                   |                                |   |  |                          |
|--------------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|---|--|--------------------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   |                     |                                   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup>           |
|                          |                          | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |                                |   |  |                          |
|                          | AW                       |                           |                     |                                   |                                |   |  | <input type="checkbox"/> |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.